

Intent is incorrectly mentioned as 19th October, 2011 instead of 19th October, 2011.

P.C.:

4. Taken up for marking of further documents.
5. The learned counsel for the plaintiff has tendered the original certificate of registration of plaintiff No. 2-firm. A copy of which was marked as **Article-1**.
6. The original certificate of registration dated 1st July, 2011 is now marked **Exhibit-P/21**.
7. The cross examination of plaintiff's witness (P.W.1) be recorded on commission.
8. By consent, **Mr. Maulik Tanna** is appointed as a Commissioner and is requested to record the cross-examination of the Plaintiff's first witness.

(a) The Commissioner is at liberty to exercise discretion under Order XVIII rule 4(4) of the Code of Civil Procedure, 1908, to note the demeanour of the witnesses where necessary.

(b) All cross-examination shall be conducted strictly in question and answer form.

(c) The Commissioner will also be at liberty to direct that the whole or any part of the cross-examination should be video recorded for later reference of the Court. Should that be done, the original audio visual recording will be submitted along with the Commissioner's Report to the Registry.

(d) Liberty to the parties as also to the Commissioner to apply in case of difficulty.

(e) All re-examination will be conducted only in Court.

(f) Costs of the commission shall be borne equally by the parties.

(g) Parties shall also pay costs of Rs.500/- per hearing to the Court Clerk who attends the Commission with Court Papers. This is required since these clerks attend the commission in addition to their duties and outside their normal working hours.

(h) The Commissioner is not to permit any application for adjournment on dates previously fixed, except where absolutely unavoidable. Counsel's inconvenience or unavailability does not constitute such unavoidability.

9. List the matter on 23rd February, 2023 along with Interim Application (L) No. 1845 of 2023 for a status report including as to progress before the Commissioner.

(N. J. JAMADAR, J.)